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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

KENNETH EUGENE HOLLOWAY,

Defendant.

No. CR 97-40059 CW &
CR 07-00344 CW

AMENDED PETITION FOR AND WRIT OF
HABEAS CORPUS AD PROSEQUENDUM

TO: The Honorable Elizabeth D. Laporte, United States Magistrate Judge of the United States District Court for the Northern District of California:

Special Assistant United States Attorney Bryan R. Whittaker respectfully requests that this Court issue a Writ of Habeas Corpus Ad Prosequendum for the person of prisoner, KENNETH EUGENE HOLLOWAY, whose place of custody and jailor are set forth in the requested Writ, attached hereto, and your petitioner avers that the prisoner is required to appear in the above-entitled matters before the Honorable Claudia Wilken, United States District Judge, at 2:00 p.m. on Wednesday, October 3, 2007, and therefore petitioner prays that this Court issue

PETITION FOR WRIT OF HABEAS
CORPUS AD PROSEQUENDUM
CASE NOS. CR 97-40059 CW & CR 07-00344 CW

1 the Writ as presented.

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3 Dated: September 20, 2007

Respectfully submitted,

4 SCOTT N. SCHOOLS
5 United States Attorney

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7 /S/
8 BRYAN R. WHITTAKER
9 Special Assistant United States Attorney
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27 PETITION FOR WRIT OF HABEAS
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THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO: FEDERICO ROCHA, United States Marshal, Northern District of California, and/or any of his authorized deputies, and the Sheriff of Contra Costa County:

GREETINGS

WE COMMAND that on Wednesday, October 3, 2007, at 2:00 p.m., or as soon thereafter as practicable, you have and produce the body of KENNETH EUGENE HOLLOWAY, DOB 11/16/1966, in your custody, before the United States District Court in and for the Northern District of California, in the Courtroom of the Hon. Claudia Wilken, United States District Judge, 1301 South Clay Street, Oakland, California, Courtroom 2, 4th Floor, in order that KENNETH EUGENE HOLLOWAY may then appear for an appearance upon the charges heretofore filed against him in the above-entitled Court, and that immediately after said hearing to return him forthwith to said above-mentioned institution or abide by such order of the above-entitled Court as shall thereafter be made concerning the custody of said prisoner, and further to produce said prisoner at all times necessary until the termination of the proceedings in this Court;

IT IS FURTHER ORDERED that should the local or state custodian release from its custody the above-named person, he be immediately delivered and remanded to the United States Marshal and/or his authorized deputies under this Writ.

WITNESS the Hon. Elizabeth D. Laporte, United States Magistrate Judge, United States District Court for the Northern District of California.

DATED: September __, 2007

CLERK, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

By:

DEPUTY CLERK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

KENNETH EUGENE HOLLOWAY,)

Defendant.)
_____)

No. CR 97-40059 CW &
CR 07-00344 CW

[PROPOSED] ORDER GRANTING
PETITION FOR AND WRIT OF HABEAS
CORPUS AD PROSEQUENDUM

Upon motion of the United States of America, and good cause appearing therefore,

IT IS HEREBY ORDERED that the United States' request for issuance of a Writ of Habeas Corpus Ad Prosequendum requiring the production of defendant, KENNETH EUGENE HOLLOWAY, before the Hon. Claudia Wilken, United States District Judge, at 2:00 p.m. on Wednesday, October 3, 2007, or as soon thereafter as may be practicable, is granted, and the Writ shall be issued as presented.

Dated: _____

HONORABLE ELIZABETH D. LAPORTE
United States Magistrate Judge

PETITION FOR WRIT OF HABEAS
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